

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

vs.

Civil Case No. 10-13064
Criminal Case No. 07-20411
HON. GEORGE CARAM STEEH

ERNEST HAYES,

Defendant.

_____ /

ORDER DENYING DEFENDANT'S THIRD MOTION
FOR REDUCTION IN SENTENCE

Presently before the court is defendant's third motion for reduction in sentence, filed on June 14, 2012. On March 28, 2012, the court denied defendant's second motion for reduction in sentence, concluding that defendant is ineligible under 18 U.S.C. § 3582(c)(2) for a reduction in sentence based on the crack guideline amendment, effective March 3, 2008.

Accordingly,

Defendant's third motion for reduction in sentence is DENIED.

Defendant is hereby prohibited from filing any motion or request for reduction in sentence based on the crack guideline amendment.

SO ORDERED.

Dated: June 25, 2012

s/George Caram Steeh
GEORGE CARAM STEEH
UNITED STATES DISTRICT JUDGE

CERTIFICATE OF SERVICE

Copies of this Order were served upon attorneys of record on June 25, 2012, by electronic and/or ordinary mail and also to Ernest Hayes at FCI Allenwood, P.O. Box 2000, Whitedeer, PA 17887-2000.

s/Barbara M. Radke
Deputy Clerk